

United States Senate
WASHINGTON, DC 20510

April 13, 2010
At 4:00 p.m.
SR-301, Russell Senate Office Building

ORGANIZATIONAL MEETING OF THE

**Impeachment Trial Committee on the Articles of Impeachment Against
Judge G. Thomas Porteous, Jr. of the Eastern District of Louisiana**

AGENDA

1. Opening Remarks by the Chairman and Vice Chairman
2. Overview of the Role of the Committee by Senate Legal Counsel Morgan Frankel
3. Committee Delegation of Authority to the Chairman and Vice Chairman
4. Committee Consideration of Rules and Procedures
5. Discussion of Timeframe for the activities of the Committee
6. Adjournment at the Call of the Chairman

THE ARTICLES AGAINST JUDGE G. THOMAS PORTEOUS, JR. ORGANIZATIONAL MEETING

TUESDAY, APRIL 13, 2010

UNITED STATES SENATE,
IMPEACHMENT TRIAL COMMITTEE,
Washington, D.C.

The committee met, pursuant to notice, at 4:09 p.m., in Room SR-301, Russell Senate Office Building, Hon. Claire McCaskill, Chairman of the committee, presiding.

Present: Senators McCaskill, Klobuchar, Whitehouse, Udall, Shaheen, Kaufman, Hatch, DeMint, Barrasso, Wicker, Johannis, and Risch.

OPENING STATEMENT OF CHAIRMAN McCASKILL

Chairman MCCASKILL. The committee will come to order. I want to say good afternoon to everyone and welcome the members of the Committee, welcome my colleagues to this organizational meeting of the Senate Impeachment Trial Committee on the Articles of Impeachment Against Judge G. Thomas Porteous, Jr., of the Eastern District of Louisiana.

On March 17, 2010, the Committee agreed to S. Res. 457, which provides for the issuance of a summons and for related procedures concerning the Articles of Impeachment against Judge Porteous. That summons was served by the Sergeant at Arms, and on April 7, 2010, Judge Porteous filed his answer with the Senate.

The Senate also agreed to S. Res. 458, which provides for the appointment of a Committee to receive and to report evidence with respect to the Articles of Impeachment against Judge Porteous. As a Committee, we recognize the seriousness of our work to prepare the Senate for an impeachment trial. Article 1, Section 3 of our Constitution establishes that the Senate shall have the sole power to try all impeachments. It is one of our most sacred responsibilities, appearing in the section of the Constitution that establishes the Senate as a body. It is the first and most substantial check that the Founders provided to the legislative branch to balance the other branches. We intend to proceed fairly, yet expeditiously, to gather the necessary evidence and present a neutral report to the full Senate and allow the body to make an independent decision based on the facts and evidence as presented.

This is an organizational meeting and I will have a number of motions that we will have a chance to discuss, but at this point in time, I would turn over to the Vice Chairman, Senator Hatch. I

want to say first, for the record, how grateful I am that he is serving on this Committee because I believe he is, in fact, the only member of this Committee that has been involved in other impeachment trials, and I think as a member of this same Committee, and I think it is very important that we have his experience and expertise as we begin our work on this obviously very important responsibility.

So thank you, Senator Hatch, and I would turn the meeting over to you for any opening remarks you would like to make, and then if any of the other members of the Committee would like to make any opening remarks.

OPENING STATEMENT OF VICE CHAIRMAN HATCH

Vice Chairman HATCH. Well, thank you, Madam Chairman. A common feature of our system of government is what we call checks and balances. Legislation requires the President's signature. Nominations require Senate consent. In fact, the Constitution uses the word "sole" only twice. It gives the House of Representatives the sole power of impeachment and it gives the Senate the sole power of trying impeachments.

That is what brings us together today, the grave and the solitary task of beginning the trial process regarding the impeachment of U.S. District Judge G. Thomas Porteous, Jr. That task is the Senate's alone and we must proceed with the utmost seriousness and dedication to fairness. A majority of public officials impeached in American history have been judges, and a majority of those have been convicted by the Senate and removed from office. Judicial independence is a hallmark of our judicial system and the reason why the Constitution does not set a time limit for judicial service.

I have served on the Senate Judiciary Committee for 34 years—nearly 34 years—and chaired it for eight of those years. Three of my colleagues on this Committee serve on the Judiciary Committee, as well. That Committee has the positive task of evaluating nominees for appointment to the judiciary. This Committee, in contrast, has the negative task of assisting the Senate in evaluating whether to remove a judge from the judiciary. That is, thankfully, a very rare situation in our country, but it is crucial to maintain the public trust.

I look forward to working with you, Senator McCaskill, and the other members of the Committee in the weeks and months ahead. This is not an easy process that we have to really be diligent with. Technology will allow this Committee process to be more accessible and transparent than when it was last used more than 20 years ago, and so the American people will be better able to understand what their elected representatives are doing.

I am grateful for your diligence and for your willingness to allow me to make these opening remarks and I look forward to serving with you very, very much.

Chairman MCCASKILL. Thank you, Senator Hatch.

Do any other members wish to make any opening comments?

[No response.]

All right. Thank you. At this time, I would like to turn to Morgan Frankel, the Senate Legal Counsel, to provide an overview of the role of the Committee.

Mr. FRANKEL. Thank you, Madam Chairman and members of the Committee. The idea of having the Impeachment Trial Committee originated in the Senate's rules in 1935. It was first used in 1986 and used three times with three Federal judges who had been impeached in the 1980s.

The idea arose from experience in the early part of the 20th century in which all trial proceedings in impeachment trials were conducted solely on the Senate floor, occupying a great deal of time of the Senate's business on the floor and often involving spotty or limited attendance by members.

The Senate, after a couple of impeachment trials along those lines, determined that it would be better to have the option of appointing a Committee of members who would create the evidentiary record and receive the evidence in order to certify a record for the Senate's consideration. The Senate then could hear any witnesses itself it wanted to, could study the record, which now can include videotaped hearings as well as transcripts, and hear final argument and deliberate and vote on the Articles of Impeachment based on a record that a group of Senators had dutifully attended to. And it would be better to have a small group who intensely participated and followed the entire proceedings and were able to put these proceedings in context and direct other members to parts of the record, if you will, that were especially important than to have everything happen on the floor without that kind of attention to the specifics.

The Committee has four principal functions as part of that role. The first is to conduct necessary pretrial proceedings to get the case to be ready to be tried in hearings before the Committee.

The second is to conduct the hearings themselves, which serve as the evidentiary process of the trial, and to create the record.

The third is to file a neutral report with the Senate, which consists of a certification of the evidence, the testimony that was heard and the documents that were admitted into evidence, and to, in the last couple of trials, accompany that with a neutral statement, a neutral report, that summarizes the uncontested facts and the evidence on the contested facts with references to the record to help all members understand and digest the evidence. The Committee does not make any findings or recommendations as a Committee. Its sole job is to create a fair and full record for the use of the Senate.

The final task, though, that has developed is when the matter does get to the full Senate, inevitably, members look to members of this Committee to guide them through the evidence, and help them understand the arguments and the issues. But members of the Committee do that individually according to their own views, not as members of the Committee.

The first task will be to develop the pretrial proceedings necessary to get the case ready to be heard by the Committee. Usually, administrative matters are handled by the Chair and Vice Chair, who will spend the most time on pretrial issues, working with the representatives of the parties. Usually matters needing resolution, such as motions on important pretrial matters, would be reserved to the entire Committee to make decisions on.

The kinds of issues that will potentially arise are, first, requests for some kind of pretrial discovery. There have been some proceedings previously that have created some opportunities for discovery, but there may be more discovery requested, including the possibility of depositions. There may be a process of trying to get the parties to stipulate to various uncontested facts or to authentication and admissibility of documents to streamline the trial. That has been successful in the past.

The parties may each offer a series of pretrial motions. The Judge may file some—has indicated that he may file some—motions to dismiss various of the Articles of Impeachment on purely legal grounds. The Committee will need to decide how to handle those.

And the parties may, as well, have a number of pretrial motions for the parts of the trial, some or all, that will go forward. These could include issues about the use and admissibility of the prior evidence that has been created in the judicial forum and in the House forum and in Grand Jury investigations, potentially motions in limine, meaning motions to exclude various kinds of evidence from the trial, and requests for immunity orders. A number of the witnesses who may be called may assert a Fifth Amendment right, as they have done in prior proceedings, and need to be immunized by this Committee's motion, which is taken down to the Federal District Court to obtain a use immunity order, after hearing from the Department of Justice.

And then ultimately, the Committee receives pretrial submissions from the parties describing the witnesses, a proffer of their evidence, the exhibits they want to use, how much trial time they estimate needing, and the Committee issues a pretrial order to structure the proceedings.

The next phase is the trial itself. Typically, Impeachment Trial Committees have operated only with a natural quorum, that is, seven out of 12 members. Often, all 12 members have been present to hear almost all of the testimony.

The job of the Committee is not to investigate the matter. The House is presenting the case. The Judge is defending the case. The Committee sits as a judge and a jury to create a fair record. That means that the predominant questioning, the direct examination and cross examination, is performed by the parties of each others' witnesses. Senators then typically have had the opportunity to ask follow-up questions to clarify areas of confusion or areas that were not fully developed. But the principal task of questioning is left to the two adversary parties.

The Committee will be called upon—likely first through the Chair—to rule on various motions that may arise in the course of the trial itself. But typically the Senate has not adopted formal rules of evidence. It has not adopted the Federal Rules. And it has instead been guided by reliability, fairness, and wholeness. Because the Committee is receiving evidence on behalf of the entire Senate, the Committee has—prior Impeachment Committees have—thought it best to include as inclusive a record as possible, to leave it to individual members to assign whatever weight they chose to various forms of evidence rather than to rely strictly on rules of evidence and hearsay exceptions and all the like.

At the end of the trial, the parties typically file post-trial briefs, where they provide their own summary of the case. There is a time provided for the Committee then to submit its neutral report so that all of those materials can go to members in anticipation of their action on it, so that they have time to study the record.

And the Senate hears—if it has no interest in hearing any of the witnesses again, or any different witnesses who weren't called, on the floor—the Senate typically then schedules oral argument by the representatives of both parties to argue a closing, if you will, of the case. The Senate then retires in closed session to deliberate. Under the rules, all Committee deliberations and Senate deliberations must be held in closed session. The analogy is to a jury deliberation.

Then the Senate returns to open session to vote on each of the Articles of Impeachment separately, and there are four Articles in this case.

That is my quick run-through on the duties of the Committee.

Chairman MCCASKILL. Thank you very much, Mr. Frankel.

Does anyone have questions for Senate Counsel at this point?

[No response.]

All right. Thank you so much. We will rely on your experience and your expertise as we move forward with this matter.

I have circulated—

Vice Chairman HATCH. Madam Chairman, can I just say that was an excellent presentation and I appreciate it very much. I am sure all of us do.

Mr. FRANKEL. Thank you, Senator.

Chairman MCCASKILL [continuing]. Thank you, Mr. Frankel.

I have circulated two motions for consideration by the Committee. These rules were developed by my staff and Senator Hatch's staff based on discussions with Senate Legal Counsel, the Congressional Research Service, and their own research into the rules of the three Impeachment Trial Committees that preceded this Committee.

The first motion provides for the delegation of authority to the Chairman and Vice Chairman for the operation and administration of the Committee. Without a delegation of authority, it would be necessary to call a meeting for every administrative decision moving forward, including staffing, discovery, conferences with the parties, and other administrative functions.

Are there any questions about the need for a rule considering how we move forward with the administrative decisions? Does any member so move?

Senator SHAHEEN. I so move.

Senator RISCH. I move.

Chairman MCCASKILL. Senator Shaheen has moved, with a second by Senator Risch. Is there any discussion as to this motion, either opposed or in favor?

[No response.]

All right. Seeing no discussion, all those in favor, say aye.

[Chorus of ayes.]

Opposed, nay.

[No response.]

The ayes have it, and the motion is agreed to.

The second motion codifies what has been the past practice of the Impeachment Trial Committees. It provides that, given the uniqueness of these proceedings, a natural quorum of seven members will be required to receive sworn testimony or take evidence. Does any member so move?

Senator JOHANNIS. I do.

Senator KLOBUCHAR. I so move.

Chairman MCCASKILL. Senator Johannis has moved. Senator Klobuchar has seconded. Do you have the motion, Senator Johannis? Would you mind reading that aloud? I think this is an important motion for us all to hear, because I know what scheduling is like around this building.

Senator JOHANNIS. Yes. Thank you. I will read the motion. The motion is, I move that a natural quorum of seven members shall be required for the Committee to receive sworn testimony or take evidence. So moved.

Chairman MCCASKILL. Is there any discussion on this motion?

Senator SHAHEEN. Yes.

Chairman MCCASKILL. Senator Shaheen.

Senator SHAHEEN. Can somebody explain to me what a natural quorum is compared to a regular quorum?

Chairman MCCASKILL. I think maybe, Mr. Frankel, you can explain.

Mr. FRANKEL. A natural quorum means an actual majority, what most regular people would consider a quorum. Under the Senate's rules for committees, committees may reduce their quorum for hearing witnesses to as few as one member while retaining a quorum. But a natural quorum means a majority of members actually being present at all times.

Senator SHAHEEN. Thank you.

Chairman MCCASKILL. Yes, Senator Risch?

Senator RISCH. I have a question. You made reference to the fact of what has been going on around here. It is very difficult for people to make time for these things because we all have critical things going on. It seems to me we are going to have a floating quorum anyway. That is, I doubt the seven people that make up the quorum are going to be the same seven all the time, so all of us are going to have to rely on the record that is made as we review the record and then make our decision. So from a purely practical standpoint, it seems to me that it might be appropriate to reduce that maybe down to five or something like that.

I mean, there is no appeal from this. I mean, we have the constitutional authority to do this. We have to be very careful when we do it. But having said all that, I don't think—I would hate to see the proceedings disrupted because, okay, we were supposed to have seven and we only have six. It would just seem to me that if we reduced it some, it might be more helpful, because it is important, also, that we get through this quickly for everyone's benefit. For the defendant's benefit, for the benefit of the Senate, for the benefit of the American people, it is important that we get through this. So it seems to me that it would be more expeditious to reduce that a little bit.

I am open—I don't feel that strongly about it——

Chairman MCCASKILL. Well, let me——

Senator RISCH [continuing] But it just seems to me that we want to do this as expeditiously as possible.

Chairman MCCASKILL [continuing]. Let me respond to that. I understand the sentiments, believe me. In fact, as time has gone on, when I initially was told that I was given this responsibility, my first reaction was, this will be interesting. I am looking forward to this. And then I felt a little bit like, after I presided for about three hours over the Senate, I figured out why one of the new kids maybe got this, because it is going to take a lot of time. So I understand the sentiment.

Having said that, we have looked—and I certainly look forward to Senator Hatch weighing in on this—we have looked at the previous proceedings and what has passed muster—and this is a relatively new—this has only been done a handful of times before. Before that, as you heard Mr. Frankel say, the entire Senate sat for all of the hearing of the evidence.

It seems to me that since this is what has been done before, I certainly am comfortable with a quorum of seven, but I do agree perhaps that we need to look at organizing this in a fashion so that we can ask members and maybe help coordinate when members can be here so we don't get in a situation where all of a sudden someone leaves and we only have six and we have to suspend testimony. In other words, ahead of time saying, please sign up, like we have to sign up for presiding time, that you will be at the hearing for this hour or for these two hours, and in that way, we can maintain the seven that we need.

That is my reaction, but certainly I defer to Senator Hatch if you have any sentiment about the proposal that we could conceivably go forward with less than seven as a quorum on this matter.

Vice Chairman HATCH. Well, let us see how it works. I don't think we should go with less than a natural quorum if we can. This is one of the most important constitutional duties that we might have in our whole Senate service, so it is incumbent upon each of us to try and be here. And I agree with the Chairman in this regard, I think. And keep in mind, we don't want to give any excuses for anybody upset with our final decisions in these matters, or at least what we finally do in presenting this to the Senate. So I think it is pretty incumbent that we should probably have a natural quorum.

Senator RISCH. Madam Chairman.

Senator WHITEHOUSE. Madam Chair.

Senator RISCH. Could I respond just briefly?

Chairman MCCASKILL. [Nodding head.]

Senator RISCH. First of all, I will yield to the Chairman and Vice Chairman on this. You guys are the ones that are running this train, so I will certainly yield to that. But I am certain there was a reason originally they went from the full Senate down to a Committee, and that was in 1935. And I could be wrong, but I think the workload around here has probably increased a little bit since 1935. But in any event, you guys are going to have to make this fly, so I will certainly yield to the Chairman and Vice Chairman on the issue.

Vice Chairman HATCH. Well, Madam Chairman, we are going to have to, of course, work with the leadership to make sure that they

understand that this work is important, too, because we are going to have to be able to have the time to do this. So I think both you and I and everybody on this on this Committee ought to do everything we can to make sure that the Senate procedures acknowledge and accommodate this type of proceeding.

Chairman MCCASKILL. And Senator—let me go to you, Senator Whitehouse. Do you have—

Senator WHITEHOUSE. I was curious whether we have any estimation at this point of the number of hearing hours or days that are expected. I understand that previous such proceedings have followed a full criminal trial and prosecution. This is a little bit more *ab initio*, and I don't know what the Committee staff has done by way of trying to estimate the number of witnesses, amount of testimony, and the extent to which this will require our time.

Chairman MCCASKILL [continuing]. Well, a couple of things. First, it is hard for us to do any kind of meaningful estimate at this juncture. There is no Committee staff, and that is one of the reasons this meeting was important, because we need to—I am not anxious to bring on a phalanx of lawyers for this, but I do think we are going to have to have a little bit of help along with some clerks to help with some of the research and writing, because we are going to have matters of law that we are going to have to get briefed and we are going to have to look at.

I believe the Judge has indicated very preliminarily that he thinks, through counsel, five to ten days for actual testimony, for actual presenting the evidence that he would like us to hear. Obviously, we are not holding the Judge to any kind of estimate at this point.

And the comment I was going to make previously, in sensitivity to what has been mentioned by the Vice Chair, Senator Hatch, and by Senator Risch, I, too, am anxious to move with deliberate speed on this. At the same time, I think we have to be ever mindful that the guiding force of this matter has to be due process, because that is where our work could be undone, if we are not careful and mindful of due process considerations.

So it is—we have got a time line in here we will go over, just a very preliminary estimate that we will try to go over when we finish up. But at this point, if I could, I would like to call the motion on the natural quorum of seven members.

Senator WHITEHOUSE. Before we do, there is nothing that would prevent us from revisiting this question—

Chairman MCCASKILL. There is nothing to prevent us from revisiting this question.

Senator KLOBUCHAR.

Senator KLOBUCHAR. I would also note—as I noted to Senator Whitehouse—we have an upcoming Supreme Court nomination hearing. There are four of us on the Judiciary Committee and it could at some point conflict with this, and that is a week-long thing, as well. So again, I think it will be good—I seconded this motion, I favor it, but I do think we should be open to revisiting it if we need to.

Chairman MCCASKILL. All right. All those in favor, say aye.

[Chorus of ayes.]

All those in opposed, nay.

[No response.]

The third rule is actually a waiver of a rule. For all the proceedings of the Senate Impeachment Trial Committee on the Articles of Impeachment Against Judge G. Thomas Porteous, Jr., pursuant to Senate Resolution 458, Section 4, I hereby waive the requirement of the Rules of Procedure and Practice in the Senate, when sitting on impeachment trials, a question by a Senator to a witness, a manager, or counsel shall be reduced to writing and put by the presiding officer.

Is there any discussion of waiving the rule on requirement that the questions be in writing prior to the evidentiary hearing?

[No response.]

Okay. I don't think I have to move that, do I? Just waive. Okay. That rule is hereby waived.

Let us take a minute to acknowledge the presence—it is my understanding that Richard Westling, Counsel for Judge Porteous, and Alan Baron, Special Counsel Representing the House Managers, are both here. Thank you. I assume that the gentleman on our left is Richard Westling, Counsel for Judge Porteous?

Mr. WESTLING. Assuming I know my left from my right, yes. [Laughter.]

Chairman McCASKILL. My left. Correct.

And obviously we acknowledge the Congressman who is here, and thank you very much—I mean, the Special Counsel representing the House Managers. I elevated you there for a minute.

Mr. BARON. It felt very good.

Chairman McCASKILL. You had a look of panic on your face.

Let me say about another potential motion, I haven't had a chance to talk to Senator Hatch about this, but we do have the matter of hearing any information on pretrial motions, and it may be that we can discuss whether some kind of hybrid quorum might be appropriate. I am not comfortable with a quorum of one for that because I don't want that responsibility, but it might be that we can look at perhaps a hybrid quorum of three or five with a mix of both parties as maybe something less than the full seven simply for purposes of hearing evidence as it relates to pretrial motions.

And so we will circulate any proposed rule in that regard, and it might be that we could work something out, that that would help people with their scheduling and, I don't think, do any harm to the due process nature of our obligation here.

Moving to the proposed time frame for our work, I have included a proposal in your binders. This is just a guide. The parties have not had the opportunity to provide any input into this time line. It is not set in stone. It is meant to be a discussion starter. However, I believe that it complies with our charge to move expeditiously yet fairly.

Generally, it sets target dates for close of discovery, hearings on pretrial motions, and our evidentiary hearings. My goal is to hold the hearing on pretrial motions in June and to complete the full evidentiary hearings during the first week of August prior to recess. This gives Committee staff some time during recess to prepare the report. We would meet to consider the report upon our return. If we complete our work by mid-September, the Senate could consider the Articles on the full floor by the end of September.

Is there any discussion about this general proposed time line with the understanding that this is just for purposes of what would happen if everything went according to plan? Any discussion? Okay. Yes?

Senator RISCH. The date you picked for the evidentiary hearing is the week immediately preceding recess. The question I guess I have would be how did you come up with the five days? Did someone—

Chairman MCCASKILL. I think—

Senator RISCH [continuing]. Take a look at the potential witnesses and that sort of thing? That is part one of the question.

Part two is, probably there are a lot of people leaving on CODELs or what have you at the time that the August recess starts. So would it be your intent if we don't get done in that week to put it off until after the August recess? Those are the two questions I would have.

Chairman MCCASKILL [continuing]. Well, we will certainly do our best to keep you informed in plenty of time. We have actually planned that if we needed to, we could back up a week if it was going to be longer. I think, as I mentioned earlier, I think there has been just preliminary discussions. The Judge indicated that he would need five to ten days. So we put this out there just for purposes of beginning the discussion. It may be that we have to wait until after the August work period. But certainly it would be our goal, if we could, to complete the work before the August work period, the August home work period.

Senator RISCH. Thank you, Madam Chairman.

Senator KAUFMAN. Madam Chair, I think this really brings starkly home that we don't have a lot of flexibility. When you look at this schedule, it doesn't look to me like it is an overly generous schedule and we are supposed to be out of here September 30. I would hate to be sitting around here in October doing this. So I think—I mean, just looking at it, it doesn't look to me like we have got a lot of space between now and September 30 to kind of play with. So I commend you for coming up with the schedule, but I also think it points out how tight this is going to be.

Chairman MCCASKILL. It is. This is a responsibility, and I am grateful to Senator Hatch for reminding us all that we do get very busy with lots of things around here, but this is important. This is something that no one else in our country has the responsibility of doing, and we have been given this responsibility and hopefully we can dispatch it with appropriate speed and also with an eye on the fairness of the proceedings, so—

Senator WHITEHOUSE. I think, Madam Chair, nothing in the Constitution, as I find it, requires us to sit only between nine in the morning and five in the afternoon. We have a great number of hours to the day, and I think that we will be under considerable pressure as we close out towards that August recess with legislative activities on the floor. So I would expect and urge my colleagues to expect to spend some late evenings here with you.

Chairman MCCASKILL [continuing]. Well, I know everyone around this table—many around this table could tell war stories about their time in court. I have had several judges decide that there was nothing wrong with us starting at seven in the morning,

and I had several judges that didn't think there was anything wrong with us taking evidence until ten o'clock at night. So I think we may end up with some long hours to try to, really, to try to accommodate people's schedules and to accommodate the unforgiving schedule of the United States Senate and the other business we have to do around here.

Is there any other business any member wishes to discuss? I might just add for the record, as we look for—yes, we did it. That was the first one we did. We just didn't have you read it. It will be in the record, the wording of it.

If there are any members of anyone's—I know that you all have staff sitting around that has no work to do, but I do want to inform the Committee that as we work at finding people to help with this effort, if there is any staff that you are aware of that would be interested in assisting—I am not anxious to spend a great deal of the taxpayers' money in hiring a number of staff people to work on this, so if there are people that you have that would like to assist on it because of the uniqueness of this situation and the experience that it represents, please contact my office and let me know because we will be moving quickly to try to get some people on board to begin the work of getting to it, so to speak.

Anything else? Any other discussion of the Committee? Let me say ahead of time, I appreciate your diligence and your attention to this matter. I know that if everyone makes this a priority, we can get this done in a way that we can all be proud of.

Thank you very much, and the hearing is adjourned.

[Whereupon, at 4:42 p.m., the hearing was adjourned.]